

In the Court of Appeals of the State of Alaska

Ralph L. Barenz II,
Appellant,

v.

State of Alaska,
Appellee.

Court of Appeals No. **A-14018**

Order

Extend Time to File Brief

Date of Order: **11/1/2022**

Trial Court Case No. **3PA-14-02277CR**

The State of Alaska has filed a motion for an extension of time to file the State's appellee brief under Standing Order No. 12. The appellant, Ralph L. Barenz II, representing himself, has filed an opposition to the State's motion.

Mr. Barenz opposes the State's motion for a 182-day extension on the grounds that if his constitutional arguments in his opening brief are correct, his sentence is illegal and he will have already served the maximum sentence that he believes applies. (Mr. Barenz has argued on appeal that the 2006 sex offender sentencing statutes constitute an unconstitutional bill of attainder. He asserts that he should therefore be resentenced under the 2005 sentencing statutes.)

Standing Order No. 12 was created to address and ameliorate the significant backlog in criminal appellate briefing that exists in this Court. There are maximum extension limits under Standing Order No. 12 that may not be exceeded absent a showing of extraordinary circumstances. Over time, these limits are being reduced with the goal of eventually eliminating the briefing backlog and the need for Standing Order No. 12.

Here, the State's request for a 182-day extension in this case is its first request for an extension and it is a request that does not exceed the maximum 200 days that the State is permitted under Standing Order No. 12. This Court recognizes that


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lengthy legal proceedings may cause all parties to the litigation frustration and even anger. This Court, too, would like to have this appeal proceed more quickly. But unfortunately, this case is not unique and there are no extraordinary circumstances that would require this case to be taken out of turn.

For these reasons, the State's requested extension of time to file the appellee's brief is **GRANTED**. The State's brief is due on or before **4/24/2023**.

Entered at the direction of Chief Judge Allard.

Clerk of the Appellate Courts



Ryan Montgomery-Sythe,
Chief Deputy Clerk

Distribution:

Mail:
Barenz , Ralph L.

Email:
Beach, Ruthanne